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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,320	03/14/2001	Hideo Okada	55676(551)	3875
21874	7590	08/16/2004	EXAMINER	
EDWARDS & ANGELL, LLP			YODER III, CHRISS S	
P.O. BOX 55874				
BOSTON, MA 02205			ART UNIT	PAPER NUMBER

2612

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/808,320

Applicant(s)

OKADA, HIDEO

Examiner

Chriss S. Yoder, III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4 is/are allowed.
- 6) ☒ Claim(s) 5-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/13/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murata et al. (US Patent # 5,627,587).

1. In regard to claim 5, note Murata discloses the use of a video camera provided with a recording medium for recording (column 3, lines 7-10; memory card 38), an optical system for taking an image of an object (column 3, lines 30-35; and figure 4: 50), a controlling portion for controlling recording of the image (column 3, lines 48-50; figure 4: 60), a battery (column 4, lines 15-20), an external input portion for input operation by a user (column 2, lines 1-4), and a cabinet for containing said recording medium, said optical system, said controlling portion, said battery and said external input portion (figure 2: 20), comprising an opening detecting portion detecting formation of an opening in said cabinet for removal of said recording medium (column 3, lines 15-23; the cover 22 is detected open by detector 26) and a current stop function portion stopping current supply from said battery to at least one of said mechanical portion, controlling portion and optical system when said opening detecting portion detects formation of said opening (column 3, lines 60-67; if the sensor,

26, detects that the case is open, photography is inhibited by disabling the control portion from recording information). Therefore, it can be seen that the Murata device lacks the use of a mechanical portion for writing record information onto said recording medium. Official Notice is taken that the concept and the advantages of using of a mechanical portion for writing record information onto said recording medium are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to have been motivated to modify the Murata camera to include the use of a mechanical portion for writing record information onto said recording medium such as a video cassette in order to make the device compatible with a users video playback means such as a VCR.

2. In regard to claim 6, note Murata discloses the use of a display portion (figure 2: 32), a recording capacity detecting portion for determining a remaining capacity of said recording medium (column 4, lines 9-15), and a take-up instruction displaying portion for displaying an instruction to take out said recording medium onto said display portion when said recording capacity detecting portion determines that the remaining capacity of said recording medium is zero (column 4, lines 9-15).

3. In regard to claim 7, note Murata discloses the use of a usage inhibit displaying means for displaying to a user onto said display portion an indication that usage of said video camera is inhibited when said opening is detected by said opening detecting portion (column 3, lines 60-67).

4. In regard to claim 8, note Murata discloses that the cabinet includes a body portion of a casing of said video camera (figure 2: 20), and a cover portion integrally formed with said body portion (figure 2: 22), and said cover portion is opened to form said opening (figure 3A: 20 and 22). Therefore, it can be seen that the Murata device lacks the use of a resin material to form the body and cover. Official Notice is taken that the concept and the advantages of using of a resin material to form the body and cover are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to have been motivated to modify the Murata camera to include the use of a resin material to form the body and cover in order to more easily shape the material and to make the device lightweight.

5. In regard to claim 9, note Murata discloses that a feature is formed at a boundary of said body portion and said cover portion (figure 3B: the gap between portions 34 and 22).

6. In regard to claim 10, note Murata discloses that a linear groove is formed along said feature (figure 3B: the gap between portions 34 and 22).

***Allowable Subject Matter***

7. Claims 1-4 are allowed.

8. The following is an examiner's statement of reasons for allowance:

As for claim 1, the prior art does not teach or fairly suggest the use of a video camera having a medium detecting portion detecting ejection of said recording medium and a medium insertion preventing mechanism preventing re-

insertion of said recording medium after the ejection of the medium has been detected.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US006766109B2: note the use of resin to form the body of a camera.

US004511932: note the use of a video recording camera using a mechanical mechanism to record on a video cassette.

US005805219A: note the use of a camera, with a removable recording medium, that detects when the case is opened.

US006134205A: note the use of a medium detection means.

US 20030011690A1: note the use of a camera, with a removable recording medium, that detects when the case is opened.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (703) 305-0344. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CSY  
July 30, 2004



NGOC-YEN VU  
PRIMARY EXAMINER